UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

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Ex parte DANA M. DUFFIELD, RONDA M. HALEY, TIMOTHY L. KRAMER, DANIEL D. SCHULZ, ALLEN M. SCHMIDT, and JAMES S. WILLIAMS

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Appeal No. 2001-0962
Application No. 07/687,276

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ON BRIEF

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Before KRASS, SCHAFER, and CRAWFORD, Administrative Patent Judges.

CRAWFORD, Administrative Patent Judge.

Decision on Appeal

This is a decision on appeal from the examiner's final rejection of claims 1 to 3, 6 to 11 and 13, which are all of the claims pending in this application. Claims 5 and 12 have been canceled.

The appellants' invention relates to a method and apparatus for remote administration of programmable workstations coupled to a host computer in a data processing system (specification,

p. 1). A copy of the claims under appeal is set forth in the

appendix to the appellants' brief.

The prior art

The prior art reference of record relied upon by the

examiner in rejecting the appealed claims is:

Sanchez-Frank et al. (Sanchez-Frank)   5,394,522   Feb. 28, 1995
                                         filing date (Dec. 10, 1990)

The rejections

Claims 1 to 3, 6 to 11 and 13 stand rejected under 35 U.S.C.

§ 102(b) as being anticipated by Sanchez-Frank.[1]

Rather than reiterate the conflicting viewpoints advanced

by the examiner and the appellants regarding the above-noted

rejections, we make reference to the answer (Paper No. 23) for

the examiner's complete reasoning in support of the rejections,

and to the brief (Paper No. 22) for the appellants' arguments

thereagainst.

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[1] The examiner's rejection under 35 U.S.C. § 112, second
paragraph has been resolved by an amendment after final (see
answer at page 2).

Opinion

In reaching our decision in this appeal, we have given
careful consideration to the appellants' specification and
claims, to the applied prior art references, and to the
respective positions articulated by the appellant and the
examiner. As a consequence of our review, we make the
determinations which follow.

On page 4 of the answer, the examiner details his view of
how Sanchez-Frank anticipates the subject matter of claim 1. The
appellants argue that Sanchez-Frank does not disclose (1) a
user configuration file and (2) the utilization of a previously
constructed configuration file which is then altered and utilized
for a newly established programmable workstation within the
network.

In regard to a user configuration file, appellants argue
that a user configuration file is a file which is the sum of
the system's internal and external components and that the
configuration files disclosed in Sanchez-Frank relate to network
connections not internal and external components of the
individual workstations.

However, we note that the Microsoft Press Computer
Dictionary, which is attached to the brief, defines a

"configuration file" as "a file that contains machine-readable
operating specifications for a piece of hardware or software or
that contains information on another file or on a specific user,
such as the user's logon ID." Therefore, in our view, the term
"configuration file" is much broader than the appellants argue
and, therefore, the node configuration files disclosed in
Sanchez-Frank are user configuration files as broadly claimed.

     In addition, in our view Sanchez-Frank's user or node
configuration files are not limited to data related to network
connections but also contain data related to the operation of the
individual node or workstation. For instance, Sanchez-Frank
discloses that the operating system is prescribed by the
administrator (col. 3, lines 20-21). In addition, Sanchez-Frank
discloses that such configuration file includes not only data
related to network connections but data related to properties of
the individual nodes of workstations (see col. 6, lines 33-36).

     Appellants also argue that Sanchez-Frank does not disclose
utilizing a previously constructed configuration file which is
then altered and utilized for a newly established programmable
workstation within the network. The appellants are referring to
the step of "copying said selectively altered master user

configuration file to an associated newly established

programmable workstation" which is recited in claim 1.

We agree with the examiner that Sanchez-Frank does indeed

disclose this feature. At column 6, line 33, Sanchez-Frank

discloses that the network nodes are replicated for purposes of

creating other nodes with similar properties and network

connections.

In view of the foregoing, we will sustain the examiner's

rejection as it is directed to claim 1. We will likewise sustain

the rejection of claims 3, 6-9, 11 and 13 as these claims stand

or fall with claim 1 (brief at page 5).

In regard to claims 2 and 10, appellants argue that Sanchez-

Frank does not disclose:

> . . . automatically copying said selectively
> altered master user configuration file to an
> associated newly established programmable
> workstation in response to an initiation of
> communication between said associated newly
> established programmable workstation and said
> host computer. [as recited in claim 2]

Appellants specifically argue that Sanchez-Frank does not

disclose automatic copying of selectively altered master user

configuration files in response to an initiation of communication

between the associated newly established programmable workstation

and the host computer.

The examiner states:

> . . . such was taught in col. 5 (lines 50-
> 52). Thus when the workstation was connected
> to the network, communication was established
> (initiated) and the configuration file was
> transmitted and stored at the workstation. It
> clearly was anticipated that an initiation of
> communication between the workstation and the
> host computer (administrator's workstation)
> had to first be performed prior to trans-
> mission of any type of data. [answer at page 9]

While it is true that Sanchez-Frank discloses that there is some automatic direct distribution of configuration files, there is no disclosure that the examiner has directed our attention to which states that the distribution is automatic upon initiation of communication with the host computer or that such distribution is made between a <u>newly established</u> workstation and the host computer. As such, we will not sustain the rejection as it is directed to claims 2 and 10.

To summarize:

The examiner's rejection of claims 1 to 3, 6 to 11 and 13 is sustained.

The examiner's rejection of claims 2 and 10 is not sustained.

     No time period for taking any subsequent action in

connection with this appeal may be extended under 37 CFR

§ 1.136(a).

                          AFFIRMED-IN-PART

          ERROL A. KRASS   )
          Administrative Patent Judge   )
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) BOARD OF PATENT
          RICHARD E. SCHAFER   )   APPEALS
          Administrative Patent Judge   )   AND
) INTERFERENCES
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          MURRIEL E. CRAWFORD   )
          Administrative Patent Judge   )

MEC/jrg

BRACEWELL & PATTERSON, L.L.P.
INTELLECTUAL PROPERTY LAW
P. O. BOX 969
AUSTIN, TX 78767-0969